T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			07-Apr-07	APPL. S. N:	10783075			
To Exa	miner:		Select a Name, please	Art Unit	2600			
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJE	CT: Decisi	on on Termir	nal Disclaimer(T.D.) filed:					
form pa or have	aragraphs e any ques	identified by tions, please	this informal memo in your next see me or the Special Program	results as set forth below. If you a t Office action to notify applicant o Examiner. THIS IS AN INFORMAL, OF RECORD IN THE APPLICATION F	of the T.D. If you disagree			
please	initial, dat	e and return	this memo to me. THANK YOU.					
~	The T.D	. is PROPER a	and has been recorded (see 14.2	23).				
Γ	The T.D	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):						
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account						
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
	<u> </u>	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
	Γ	The person who signed the T.D.:						
		is	not an attorney "of record" (see	e 14.29 and 14.29.01).				
		∏ ha	as failed to state his/her capacity	y to sign for the business entity (s	ee 14.28).			
		is is	not recognized as an officer of t	the assignee (see 14.29 & possible	14.29.02).			
	Ĺ	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
	— :	The T.D. is not signed (see 14.26 & 14.26.03).						
	Γ	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
	Γ	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).						
		Other:			-			
	<u></u>			NOTE: If already authorized, credi	t refund to deposit account			
have	appropriat	ely notified a	pplicant(s) of the status of the T	Terminal Disclaimer filed in this ca	se.			
Ex.Initi	als:	Da	ate:		Log Date:			

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination GRAHAM, JOHN J.				
Document Code - DISQ	Internal D	ocument – DO NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROVED	☐ DISAPPROVED				
Date Filed : March 23, 2007	This patent is subject to a Terminal Disclaimer					
Approved/Disapproved by:						
Henry D. Jefferson						

U.S. Patent and Trademark Office

Attorney Docket No.: BTEC-001/04US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Michael J. FULLER, et al.

Serial No.:

10/783,075

Examiner:

Vu, Thong H

Confirmation No.:

6277

Art Unit:

2616

Filed:

February 20, 2004

For:

VIDEO AND AUDIO STREAMING FOR MULTIPLE USERS

Mail Stop Amendment
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Broadware Technologies, Inc. is the owner of the entire right title and interest in the captioned patent application. Broadware Technologies, Inc. is also the owner of the entire right title and interest in U.S. Patent 6,732,183. The common ownership of the captioned patent application and its preceding application is established by virtue of the following assignments:

- (1) John J. Graham to Graham Technology Solutions. as recorded at reel 011227, frame 0669; and
- (2) Graham Technology Solutions to Broadware Technologies, Inc., as recorded at reel 013765, frame 0250.

Broadware Technologies, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156, as presently shortened by any terminal disclaimer, of prior U.S. Patent 6,732,183.

Attorney Docket No.: BTEC-001/04US

Application Serial No.: 10/783,075

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Broadware Technologies, Inc. hereby agrees that any patent so granted on the instant

application shall be enforceable only for and during such period that it and the prior patents are

commonly owned. This agreement runs with any patent granted on the instant application and is

binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any

patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. §§154 to 156 of the prior patents, as presently shortened

by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee,

is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily

disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by

a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of

its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record authorized to execute this document. I hereby

declare that all statements made herein of my own knowledge are true and that all statements

made on information and belief are believed to be true; and further that these statements were

made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that

such willful false statements may jeopardize the validity of the application or any patent issued

thereon.

The Terminal Disclaimer fee of \$130 set forth in 37 C.F.R. 1.20(d) is submitted herewith.

The commissioner is hereby authorized to use Deposit Account No. 50-1283 for any required

debit or credit.

Date: March 23, 2007

Signature:

Printed Name: William S. Galliani Reg. No. 33,885

749600 v1/PA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Michael J. FULLER, et al.

Serial No.:

10/783,075

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TERMINAL DISCLAIMER TRANSMITTAL

Enclosed is an executed Terminal Disclaimer for the above-identified application in response to the Office Action mailed December 29, 2006, for the above-identified application.

Also enclosed is:

[X] Amendment

Fee:

The terminal disclaimer fee under 37 C.F.R. 1.20(d) is \$130.00.

[X] Please charge \$130.00 to Deposit Account No. 50-1283.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: March 23, 2007

Cooley Godward Kronish LLP

ATTN: Patent Group Five Palo Alto Square 3000 El Camino Real Palo Alto, CA 94306-2155

Tel: (650) 843-5000 Fax: (650) 857-0663

Respectfully submitted,

COOLEY GODWARD KRONISH LLP

By:

William S. Galliani Reg. No. 33,885

749885 v1/PA